
**MINUTES OF THE PROCEEDINGS
REGULAR MEETING
OF THE
RETIREMENT BOARD OF THE
POLICEMEN'S ANNUITY AND BENEFIT FUND OF CHICAGO
HELD
THURSDAY - JANUARY 31, 2019**

The regular meeting of the Retirement Board of the Policemen's Annuity and Benefit Fund of Chicago (the Fund) was held 9:00 a.m. January 31, 2019 at the office of the Fund, 221 North LaSalle Street, Suite 1626, Chicago, Illinois for the consideration of applications and bills, and for other such matters that came before the Board. The contents of this meeting were transcribed by Esquire Deposition Solution LLC Court Reporters and are made a part of the record.

PRESENT: Trustees Beyna, Brown, Fields, Hamburger, Lappe, Wodnicki, Wright 7.

ABSENT: Summers 1.

PRESIDING: President Beyna

OTHERS PRESENT:

Mr. Kenneth Kaczmarz, Interim Executive Director, Ms. Caroline Vullmahn, Comptroller, Mr. David Kugler, Board Counsel, Mr. Justin Kugler, Legal Counsel, Dr. Peter Orris, Board Physician, and Staff Members Ms. Gladys Bernal, Mr. Robert Crawford, Ms. Kay Hylton, and Ms. Jackie Robinson.

PUBLIC IN ATTENDANCE:

Mr. Nick Rago, Medical Student, Mr. Carlos Saladino, FOP Representative, Ms. Annie Sweeney, Chicago Tribune.

President Beyna called the meeting to order.

The first order of business was review of the Minutes of the Regular Board meeting held December 21, 2018.

It was moved by Trustee Wodnicki, seconded by Trustee Wright that the Board approve the Minutes of December 21, 2018, as submitted.

ROLL CALL

For: Beyna, Brown, Fields, Hamburger, Lappe, Wodnicki, Wright 7.

Absent: Summers 1.

Against: 0.

The next order of business was a review of the Minutes of the Legislative Committee meeting held January 18, 2019.

It was moved by Trustee Wright, seconded by Trustee Wodnicki that the Board approve the Minutes of the Legislative Committee meeting as submitted.

ROLL CALL

For: Beyna, Brown, Fields, Hamburger, Lappe, Wodnicki, Wright 7.

Absent: Summers 1.

Against: 0.

The next order of business was review of the Minutes of the Investment Committee meeting held January 28, 2019.

It was moved by Trustee Brown, seconded by Trustee Wright that the Board approve the Minutes of the Investment Committee meeting held January 28, 2019, as submitted.

ROLL CALL

For: Beyna, Brown, Fields, Hamburger, Lappe, Wodnicki, Wright 7.

Absent: Summers 1.

Against: 0.

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The next order of business was review of the Minutes of the Disability Committee meeting held January 23, 2019.
It was moved by Trustee Wright, seconded by Trustee Hamburger that the Board approve the Minutes of the Disability Committee meeting held January 23, 2019, as submitted.

ROLL CALL

For: Beyna, Brown, Fields, Hamburger, Lappe, Wodnicki, Wright 7.

Absent: Summers 1.

Against: 0.

The next order of business was review and adoption of Board orders as submitted by the Board's counsel.

In the matter of **Byron McBride**, "The Board finds that McBride medical condition is not now disabling as disability is defined in the Act. Payment of McBride's ordinary disability benefits will therefore cease on January 31, 2019, and McBride is directed to return to the CPD for assignment."

It was moved by Trustee Hamburger, seconded by Trustee Wright that the Board approve the order on Byron McBride, as submitted.

ROLL CALL

For: Beyna, Brown, Fields, Hamburger, Lappe, Wodnicki, Wright 7.

Absent: Summers 1.

Against: 0.

The President turned the meeting over to the Recording Secretary. Review of the agenda was as follows:

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1 - 5 Incurred Expenses for the Month of January 2019.

It was moved by Trustee Hamburger, seconded by Trustee Lappe that the Board approve the Obligations as detailed on pages 1 through 5.

ROLL CALL

For: Beyna, Brown, Fields, Hamburger, Lappe, Wodnicki, Wright 7.

Absent: Summers 1.

Against: 0.

6 - 7 Refunds of Contributions; Withdrawal of Service, Widow's Annuity Accumulations, and Exempt Rank.

It was moved by Trustee Lappe, seconded by Trustee Wodnicki that the Board approve the Refunds as detailed on pages 6 and 7.

ROLL CALL

For: Beyna, Brown, Fields, Hamburger, Lappe, Wodnicki, Wright 7.

Absent: Summers 1.

Against: 0.

8 - 9 Payment to Heirs of Deceased Annuitants

It was moved by Trustee Beyna, seconded by Trustee Lappe that the Board approve payments to heirs of deceased annuitants as detailed on pages 8 and 9.

ROLL CALL

For: Beyna, Brown, Fields, Hamburger, Lappe, Wodnicki, Wright 7.

Absent: Summers 1.

Against: 0.

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10 Refund of Unused Annuity Accumulations

It was moved by Trustee Wodnicki, seconded by Trustee Lappe that the Board approve refund of unused annuity accumulations as detailed on page 10.

ROLL CALL

For: Beyna, Brown, Fields, Hamburger, Lappe, Wodnicki, Wright 7.

Absent: Summers 1.

Against: 0.

11 Refunds of Annual Increase Contributions (*retire with less than 20 yrs.*)

It was moved by Trustee Wodnicki, seconded by Trustee Hamburger that the Board approve refund detailed on page 11.

ROLL CALL

For: Beyna, Brown, Fields, Hamburger, Lappe, Wodnicki, Wright 7.

Absent: Summers 1.

Against: 0.

12 - 13 Annuities [Summary pg. 14]

It was moved by Trustee Beyna, seconded by Trustee Wodnicki that the Board approve the Annuities as detailed on pages 12 and 13.

ROLL CALL

For: Beyna, Brown, Fields, Hamburger, Lappe, Wodnicki, Wright 7.

Absent: Summers 1.

Against: 0.

15 Annuities to Widows [Summary pg. 16]

It was moved by Trustee Wodnicki, seconded by Trustee Beyna that the Board approve the Annuities to Widows as detailed on page 15.

ROLL CALL

For: Beyna, Brown, Fields, Hamburger, Lappe, Wodnicki, Wright 7.

Absent: Summers 1.

Against: 0.

17 Annuities to Children

It was moved by Trustee Wodnicki, seconded by Trustee Beyna that the Board approve the annuities to children as detailed on page 17.

ROLL CALL

For: Beyna, Brown, Fields, Hamburger, Lappe, Wodnicki, Wright 7.

Absent: Summers 1.

Against: 0.

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18 Duty and Occupational Disease Disability Claims

a) Hawkins, Brian R.

Based upon the medical reports, it was moved by Trustee Beyna, seconded by Trustee Lappe that the Board move to grant the officer subject to a full evidentiary hearing an ordinary benefit without prejudice with the understanding that the Board reserves the right prior to such hearing to revisit and terminate that benefit if deemed warranted.

ROLL CALL

For: Beyna, Brown, Fields, Hamburger, Lappe, Wodnicki, Wright 7.

Absent: Summers 1.

Against: 0.

b) Strelczyk, Gregory A.

Based upon the medical reports, it was moved by Trustee Beyna, seconded by Trustee Hamburger that the Board defer all benefits for Gregory Strelczyk pending a full hearing on February 28, 2019.

ROLL CALL

For: Beyna, Brown, Fields, Hamburger, Lappe, Wodnicki, Wright 7.

Absent: Summers 1.

Against: 0.

19 - 21 Payment of Death Benefits [Summary pg. 22]

It was moved by Trustee Beyna, seconded by Trustee Lappe that the Board approve the applications for death benefits as listed on pages 19 through 21.

ROLL CALL

For: Beyna, Brown, Fields, Hamburger, Lappe, Wodnicki, Wright 7.

Absent: Summers 1.

Against: 0.

LEAVES

23 REQUESTS FOR PENSION CREDIT FOR LEAVE OF ABSENCE SERVICE

Gadlen, Delwin

It was moved by Trustee Hamburger, seconded by Trustee Beyna that the Board defer the request to purchase leave of absence service to a full hearing.

ROLL CALL

For: Beyna, Brown, Fields, Hamburger, Lappe, Wodnicki, Wright 7.

Absent: Summers 1.

Against: 0.

MISCELLANEOUS

24 REQUEST FOR BENEFITS – CHILD OF DUTY DISABILITY RECIPIENT

Tietz, Robert C.

Documentation verified, it was moved by Trustee Hamburger, seconded by Trustee Beyna that the Board approve the benefits as detailed on page 24.

ROLL CALL

For: Beyna, Brown, Fields, Hamburger, Lappe, Wodnicki, Wright 7.

Absent: Summers 1.

Against: 0.

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25 REQUEST FOR PENSION CREDIT FOR PRIOR LAW ENFORCEMENT
 SERVICE UNDER 5-214 .2

*Documentation reviewed, it was moved by Trustee Wodnicki, seconded by Trustee Beyna that the Board deny the request of **Elias M. Abudayeh** to purchase prior service as detailed on page 25, in accordance with legislative deadlines.*

ROLL CALL

For: Beyna, Brown, Fields, Hamburger, Lappe, Wodnicki, Wright 7.
Absent: Summers 1.
Against: 0.

26 REQUESTS FOR PENSION CREDIT FOR PRIOR MILITARY
 SERVICE UNDER 5-214.3

Documentation verified, it was moved by Trustee Beyna, seconded by Trustee Wodnicki that the Board approve the request to purchase prior military service as detailed on page 26.

ROLL CALL

For: Beyna, Brown, Fields, Hamburger, Lappe, Wodnicki, Wright 7.
Absent: Summers 1.
Against: 0.

It was moved by Trustee Hamburger, seconded by Trustee Wright that the Board enter into executive session per 2 (c)(11).

ROLL CALL

For: Beyna, Brown, Fields, Hamburger, Lappe, Wodnicki, Wright 7.
Absent: Summers 1.
Against: 0.

It was moved by Trustee Wright, seconded by Trustee Lappe that the Board exit executive session.

ROLL CALL

For: Beyna, Brown, Fields, Hamburger, Lappe, Wodnicki, Wright 7.
Absent: Summers 1.
Against: 0.

*After further review and discussion, Trustee Beyna, and Trustee Lappe withdrew their previous motion and second to award benefits to **Brian Hawkins**. It was moved by Trustee Beyna, seconded by Trustee Lappe that the Board defer all disability benefits to a full hearing on February 28, 2019.*

ROLL CALL

For: Beyna, Brown, Fields, Hamburger, Lappe, Wodnicki, Wright 7.
Absent: Summers 1.
Against: 0.

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HEARINGS

27 REQUEST FOR CHILD ANNUITY BENEFITS

Crystal S. Jimenez for Ebony Jimenez

Mrs. Crystal Jimenez and her representative Theresa Hannon appeared before the Board on the claim for child annuity benefits for Ebony Jimenez. After hearing testimony and reviewing documentation presented, *it was moved by Trustee Hamburger, seconded by Trustee Lappe that the Board enter into executive session per 2 (c)(11).*

ROLL CALL

For: Beyna, Brown, Fields, Hamburger, Lappe, Wodnicki, Wright 7.

Absent: Summers 1.

Against: 0.

It was moved by Trustee Hamburger, seconded by Trustee Lappe that the Board exit the executive session.

ROLL CALL

For: Beyna, Brown, Fields, Hamburger, Lappe, Wodnicki, Wright 7.

Absent: Summers 1.

Against: 0.

*It was moved by Trustee Lappe, seconded by Trustee Brown based on the specific facts of this claim, that the Board approve the child benefits for **Ebony Jimenez**.*

ROLL CALL

For: Beyna, Brown, Fields, Hamburger, Lappe, Wodnicki, Wright 7.

Absent: Summers 1.

Against: 0.

REQUESTS TO PURCHASE PENSION CREDIT FOR PRIOR SERVICE

28

Gomez, Juanita

Officer Juanita Gomez informed Fund staff that she would not be able to attend her hearing, due to weather conditions.

It was moved by Trustee Wright, seconded by Trustee Hamburger that the Board defer this matter.

ROLL CALL

For: Beyna, Fields, Hamburger, Lappe, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

29 **Loiacono, Joseph D.**

Officer Joseph Loiacono did not appear for his hearing on his request.

It was moved by Trustee Wright, seconded by Trustee Hamburger that the Board defer this matter.

ROLL CALL

For: Beyna, Fields, Hamburger, Lappe, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

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DISABILITY HEARINGS

DUTY DISABILITY STATUS REVIEWS

30

Howard, Andre L.

Andre Howard appeared, with Counsel, before the Board on his disability status review. After hearing testimony Andre Howard, the Board Physician, Dr. Orris, Sgt. Janet Kemper of the Chicago Police Department – Medical Section, accepting additional documents for the record and reviewing video submission *it was moved by Trustee Wright, seconded by Trustee Hamburger that the board go into executive session per 2 (c)(11).*

ROLL CALL

For: Beyna, Fields, Hamburger, Lappe, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

It was moved by Trustee Hamburger, seconded by Trustee Lappe that the board exit executive session.

ROLL CALL

For: Beyna, Fields, Hamburger, Lappe, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

It was moved by Trustee Hamburger, and seconded by Trustee Lappe that the Board approve Andre Howard's duty disability for the period November 1, 2018, when it was suspended, through February 28, 2019, at which time it shall be terminated and he is directed to the Chicago Police Department for reinstatement.

ROLL CALL

For: Beyna, Fields, Hamburger, Lappe, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

31

McClendon, Jennifer L.

Jennifer McClendon appeared, with Counsel, before the Board on the continuation of her disability status review. There was additional testimony from Jennifer McClendon and review records. The Board heard from Officer Patricia Gallagher of the Chicago Police Department (CPD), Internal Affairs-Medical Integrity Unit, who testified to the authenticity of video images of Jennifer McClendon. Testimony was taken from the Board's Physician, Dr. Peter Orris. *It was moved by Trustee Lappe, seconded by Trustee Wright that the Board go into executive session.*

ROLL CALL

For: Beyna, Brown, Fields, Hamburger, Lappe, Wodnicki, Wright 7.

Absent: Summers 1.

Against: 0.

It was moved by Trustee Wright, seconded by Trustee Lappe that the Board exit the executive session.

ROLL CALL

For: Beyna, Brown, Fields, Hamburger, Lappe, Wodnicki, Wright 7.

Absent: Summers 1.

Against: 0.

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31 McClendon, Jennifer L., *Continued*

It was moved by Trustee Lappe, seconded by Trustee Hamburger that, in light of the testimony today, concerning the issues about HR and what they will and will not do, the Board is going to put this matter over to next month, February 2019, to bring in someone from HR of the CPD to find out what they will or will not do for this officer.

ROLL CALL

For: Beyna, Brown, Fields, Hamburger, Lappe, Wodnicki, Wright 7.

Absent: Summers 1.

Against: 0.

32 **Miranda, Roberto E.**

Roberto Miranda appeared, with Counsel, before the Board on the continuation of a disability status review. After hearing testimony Roberto Miranda accepting documents for the record *it was moved by Trustee Hamburger, seconded by Trustee Wright that the Board, based on the testimony and medical information provided terminate Roberto Miranda's duty disability benefits effective March 31, 2019, and direct him to the Chicago Police Department for reinstatement.*

ROLL CALL

For: Beyna, Brown, Fields, Hamburger, Lappe, Wodnicki, Wright 7.

Absent: Summers 1.

Against: 0.

33 **Skol, Catherine S.**

Catherine Skol appeared, with Counsel, before the Board on her disability status review. After reviewing the documents submitted, *it was moved by Trustee Lappe, seconded by Trustee Wodnicki that the Board, based on the medical records, grant a continuance and defer this matter to the March, 2019, Board meeting.*

ROLL CALL

For: Beyna, Fields, Hamburger, Lappe, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

34 **Warner, Brian C.**

Brian Warner appeared, with counsel, before the Board on the continuation of a disability status review. After hearing additional testimony Brian Warner, accepting additional documents, and review of records in this matter, *it was moved by Trustee Hamburger, seconded by Trustee Beyna that the Board go into executive session.*

ROLL CALL

For: Beyna, Brown, Fields, Hamburger, Lappe, Wodnicki, Wright 7.

Absent: Summers 1.

Against: 0.

It was moved by Trustee Brown, seconded by Trustee Wright that the Board exit the executive session.

ROLL CALL

For: Beyna, Brown, Fields, Hamburger, Lappe, Wodnicki, Wright 7.

Absent: Summers 1.

Against: 0.

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34 Warner, Brian C., *Continued*

It was moved by Trustee Hamburger, seconded by Trustee Fields that the Board terminate Brian Warner's duty disability benefits.

ROLL CALL

For: Beyna, Brown, Fields, Hamburger, Wodnicki, Wright 6.

Absent: Summers 1.

Against: Lappe 1.

It was moved by Trustee Hamburger, seconded by Trustee Fields that the Board award Brian Warner an ordinary disability benefit at 50% as defined in the Pension Act.

ROLL CALL

For: Beyna, Brown, Fields, Hamburger, Wodnicki, Wright 6.

Absent: Summers 1.

Against: Lappe 1.

The Executive Director reviewed with the Board the following matters.

- Working with staff and have already begun the process of writing job descriptions for every staff member. Complete with creating a legitimate organizational chart for the entire office hierarchy.
- Working with Fund Counsel on an updated version of the employee policy.
- Involvement with the pre-retirement seminar in January 2019, with another scheduled for February 2019.
- Responses to many FOIAs, often times with the assistance of Fund Counsel Justin Kugler.
- Year-end planning with the Comptroller with both the financial statements and the actuarial report.
- Written all Committee Minutes as presented today.
- The biggest task facing the Fund is the process of all the records retention. There are boxes upon boxes, plus there are seven vaults full of records at the warehouse. It's going to be a process to go and try to investigate and determine the next process. The State has given the Fund the authority destroy a good deal of those older records. It will have to determine just what was approved and then, finally get rid of the records, if they're not necessary for any purpose. Fund staff will be going to take a look at the Laborers Annuity and Benefit Fund, their process of scanning and storing image documents, just to see what, if anything, can be gleaned from their system, and if there are recommendations to improve the systems that are kept
- The year-end, the investment reconciliations, as of year-end 12/31/18, the Board, the Fund, has assets in about 59 to 63 separate investment buckets. With all the transitions that went on last year and all the new investments that are still being made, it's going to be a significant task to get all of those reconciled for the year-end statements.
- Working with NEPC and Trustee Beyna to rewrite the Fund's investment policy.

It was moved by Trustee Wright, seconded by Trustee Lappe that the Board go into executive session

ROLL CALL

For: Beyna, Fields, Hamburger, Lappe, Wodnicki, Wright 6.

Absent: Brown, Summers 2.
Against: 0.

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It was moved by Trustee Hamburger, seconded by Trustee Wodnicki that the Board exit executive session.

ROLL CALL

For: Beyna, Fields, Hamburger, Lappe, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

All business concluded for this date, January 31, 2019, *it was moved by Trustee Hamburger, seconded by Trustee Wright that this meeting be adjourned.*

ROLL CALL

For: Beyna, Fields, Hamburger, Lappe, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.